

REMARKS

RECEIVED

MAY 22 2003

Provisional election with traverse

Applicants elect with traverse Group III, claims 9-12 and 17-18.

TECH CENTER 1600/2900

Argument

The rule that governs restriction in this case is PCT Rule 13.1:

13.1 : The international application shall relate to one invention only or to a group of inventions so linked as to form a single general inventive concept ("requirement of unity of invention.")

PCT Rule 13.2 describes the circumstances in which the requirement of Unity of Invention is to be considered fulfilled:

13.2: Where a group of inventions is claimed in one and the same international application, the requirement of unity of invention referred to in Rule 13.1 shall be fulfilled only when there is a technical relationship among those inventions involving one or more of the same or corresponding special technical features. The expression "special technical features" shall mean those technical features that define a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

The issue is whether there is a **special technical feature** that links the inventions of Groups I-VI.

Applicants agree with the examiner that the special technical feature is the inventive P450 monooxygenase. However, applicants do not agree that Munro et al. teach a P450 monooxygenase. The present invention makes available novel cytochrome P450 monooxygenases having modified substrate specificity or modified substrate profile. In particular, monooxygenase mutants are to be provided which, in comparison with the non-mutated wild-type enzyme, are enzymatically active with

structurally clearly different substrates.

A check in the amount of \$110.00 is attached to cover the required one month extension fee.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF

A handwritten signature in black ink, appearing to read "Daniel Kim", written in a cursive style.

Daniel S. Kim
Reg. No. 51877

1350 Connecticut Ave., N.W.
Washington, D.C. 20036
(202)659-0100

DSK/kas